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LETTER DATED 21 NOVEMBER 1996 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to convey the attached communication, dated 20 November 1996, which I have received from the High Representative, Mr. Carl Bildt (see annex).

I would appreciate your bringing it to the attention of the members of the Security Council.

(Signed) Boutros BOUTROS-GHALI

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Annex

Letter dated 20 November 1996 from the High Representative for implementation of the Peace Agreement on Bosnia and Herzegovina addressed to the Secretary-General

I have the honour to transmit to you the enclosed Conclusions of the Ministerial Steering Board and of the Presidency of Bosnia and Herzegovina, outlining the guiding principles of the civilian consolidation plan (see appendix). I would like to request that these Conclusions be circulated as a document of the Security Council.

(Signed) Carl BILDT

Appendix

Conclusions of the Ministerial Steering Board and of the Presidency of Bosnia-Herzegovina

Paris - 14 November 1996

GUIDING PRINCIPLES OF THE CIVILIAN CONSOLIDATION PLAN

1) The Ministers of Foreign Affairs or Representatives of France, Canada, Germany, Italy, Japan, Russia, the United Kingdom, the United States, the Presidency of the European Union and the Netherlands, the European Commission, the Organization of the Islamic Conference, the United Nations, the United Nations High Commissioner for Refugees, the Organization for Security and Cooperation in Europe, the North Atlantic Treaty Organisation, meeting in Paris within the framework of the Steering Board of the Bosnia and Herzegovina Peace Implementation Council under the Chairmanship of the High Representative,

- Presidents Alija Izetbegovic, Chair, Kresimir Zubak, Momcilo Krajisnik, the Presidency of Bosnia and Herzegovina,

- the Foreign Ministers of Croatia and of the Federal Republic of Yougoslavia, signatories to the Peace Agreement and present as such,

met in Paris on November 14, 1996 in order to define the principles for civilian consolidation of the peace process which has been implemented in Bosnia and Herzegovina since the signature of the Peace Agreement in Paris on December 14, 1995. They welcomed the common platform of the Presidency of Bosnia and Herzegovina, which helps to create a good basis for peace consolidation in the country.

2) This first year of peace implementation has been marked by much progress and has opened the way to a lasting military and civilian stabilization of the country, allowing the organization of general elections and a start to establishing the common institutions of Bosnia and Herzegovina. Implementation of the first stage of the multi-year reconstruction programme has begun. Urgent humanitarian relief needs have diminished considerably. At the same time, only modest progress has been achieved on the return of refugees and displaced persons. The Presidency noted the Steering Board's concern at the lack of sufficient progress in implementing the Peace Agreement in a number of important areas.

To ensure continued success of the peace agenda, the Steering Board and the Presidency have today established guiding principles for their actions in 1997 and 1998. These guiding principles will pave the way towards further progress during the next two years, with the authorities of Bosnia and Herzegovina increasingly assuming greater responsibility for the functions now undertaken or coordinated by the international community.

Indeed, the prime responsibility for implementing the Peace Agreement lies with the different authorities of Bosnia and Herzegovina. Without compliance and active participation in rebuilding a civil society, they cannot expect that the international community and major donors will continue shouldering the burden of implementation and reconstruction efforts.

The participants emphasized that the consolidation of peace in Bosnia and Herzegovina is integral to stabilization of the region. They welcomed the positive initiatives taken in this sphere, and in particular the European Union's regional approach, the Stability Process initiated at Royaumont, the Southeastern European Cooperation Initiative, the Central European Initiative and the meeting of Foreign Ministers of Balkan countries.

3) The Presidency of Bosnia and Herzegovina reaffirms its commitment to fully pursuing -in the name of the three constituent peoples of Bosnia and Herzegovina- the peace process, in accordance with the Peace Agreement and the sovereignty and territorial integrity of this country, including the development of a Bosnian State based on the principles of democracy and consisting of the two entities : the Federation of Bosnia and Herzegovina and the Republika Srpska.

It accordingly undertakes as a high priority to establish all the joint institutions provided for in the Constitution and make them fully operational as soon as possible, as well as to resolve such disputes as may arise within this framework. The institutions comprise the Council of Ministers, the Parliamentary Assembly, the Central Bank, the Constitutional Court and the Standing Committee on Military Matters.

The Presidency of Bosnia and Herzegovina recalls its acceptance of the principle of the consolidation period and of aligning the duration of the first term of each of the bodies elected on September 14 with the two-year first term of the Presidency, in accordance with Article V of Annex 4 to the Peace Agreement. It will ensure the implementation of this undertaking by each of the bodies concerned, so as to promote the complete success of the consolidation period.

Conscious of the issues at stake in the peace process, the Presidency of Bosnia and Herzegovina expresses its gratitude to the international community for its efforts to establish and strengthen peace in Bosnia and Herzegovina. It recognises that the role of the international community remains essential and welcomes the readiness of the international community to continue its efforts.

4) Consequently, the Steering Board and the Presidency of Bosnia and Herzegovina have concluded the following :

The priorities of the consolidation period are :

1 - Regional Stabilisation : pursuing control of armaments at the lowest possible level of weapons, and fully implementing the agreements signed in Vienna on 26 January 1996 and in Florence on 14 June 1996;

2 - Security : creating a secure environment, re-establishing law and order, developing an independent judiciary, establishing democratic police forces; and strengthening the IPTF;

3 - Human rights : ensuring full respect by all governmental authorities for the human rights of all persons, and supporting fully the work of the Human Rights Commission composed of the Ombudsperson and the Human Rights Chamber;

4 - Democratization : building genuine democracy, including by promoting free media and freedom of expression throughout the country;

5 - Elections : conducting municipal elections in 1997 as well as general elections in 1998;

6 - Freedom of movement : increasing and ensuring freedom of movement for all persons, goods and services throughout Bosnia and Herzegovina;

7 - Refugees and displaced persons : facilitating the return or resettlement of refugees and displaced persons through progressive, coordinated programs that address the need for local security, housing and jobs; and ensuring full compliance with Annex 7 as well as other established procedures.

8 - War Crimes : full cooperation with the International Criminal Tribunal, in accordance with the Peace Agreement; indicted persons must be surrendered to the Tribunal without delay;

9 - Reconstruction : ensuring that reconstruction and other economic assistance fosters the peace process as well as the development of economic and other links between different parts of Bosnia and Herzegovina, and rewards those communities which cooperate with the peace process;

10 - Market Economy : creating the best conditions for economic aid by constructing a market economy based on respect for free trade, open markets and the creation of a stable investment environment, by making the necessary legal reforms and by agreeing an IMF program;

11 - Reconciliation : continuing efforts to promote long term reconciliation, such as by re-establishing contacts among all peoples in Bosnia and Herzegovina, and working harder to resolve cases of missing persons;

12 - Education : re-establishing educational, university and vocational training systems, and

13 - Mine removal : ensuring that responsible authorities within Bosnia and Herzegovina remove mines, in coordination with the Mine Action Centre (MAC).

The two-year consolidation period is divided into action plans of twelve months each, with a review at the mid-term. Each action plan will be prepared, for approval by the Peace Implementation Council or its Steering Board, by the High Representative, in close consultation with the authorities of Bosnia and Herzegovina as well as with the principal international institutions involved in implementing the Peace Agreement.

The Steering Board invites the High Representative to prepare the first action programme with a view to its approval on the occasion of the Peace Implementation Conference, to be held in London on December 4-5, 1996.

The OSCE is requested to continue to provide assistance for the preparation and conduct of municipal elections and, when appropriate, to provide assistance in the establishment of the Permanent Election Commission, in accordance with Annex 3, with respect to the elections scheduled to close the consolidation period.

Concerning reconstruction, the resources required will be granted for an initial duration of one year, on the occasion of a Donor Conference, arrangements for which will be made in London on December 4-5, 1996. Depending on progress, another conference will be called at the mid-term of the consolidation period. The donors will endeavour to implement the conclusions of the Economic Task Force, chaired by the High Representative, on priorities and principles of international reconstruction assistance.

5) Responsibility for consolidating the peace lies primarily with the authorities of Bosnia and Herzegovina, as was confirmed in particular in the joint declaration adopted in Geneva on August 14, 1996.

The Authorities of Bosnia and Herzegovina understand that the extent of the international support of the peace process depends on the strength of their own efforts. As noted above, there is a link between the availability of international financial assistance and the degree to which all the authorities of Bosnia and Herzegovina fully implement the peace agreement, including cooperation with the International Criminal Tribunal and cooperation with action programs prepared by the High Representative. In addition, the authorities of Bosnia and Herzegovina, as well as other Parties to the Peace Agreement, understand that the Security Council, in accordance with its resolution 1074, will consider the imposition of measures if any Party fails significantly to meet its obligations under the Peace Agreement.

6) The Steering Board and the authorities of Bosnia and Herzegovina recognize the need for the High Representative to continue to perform his tasks throughout the entire consolidation period. His task needs to be reinforced in the following areas in particular:

- as Chairman of the Principals' meetings, as Chairman of the Economic Task Force and as Chairman of other meetings with key Implementation Agencies;

- in case of conflicting interpretations of the civilian implementation of the peace settlement, as the final authority in theater in accordance with Article V of Annex 10. In case of dispute, the High Representative may give his interpretation and make his recommendations known public,

- making recommendations to the authorities of Bosnia and Herzegovina or its entities.

7) Recognising the fundamental importance of a secure environment to the task of civilian implementation, the participants welcomed the ongoing study by NATO members in cooperation with other States participating in IFOR of options dealing with the evolving situation.

8) Aware of the importance of Agreements signed in Vienna on 26 January 1996 and in Florence on 14 June 1996 pursuant to Articles II and IV of Annex 1 B of the Peace Agreement, and determined to resolve the difficulties encountered in the application of those Agreements, the Parties reaffirmed their commitment to full implementation and strict avoidance of circumvention of any provisions of either agreement, especially with regard to the reduction of heavy weapons as set forth in the Agreement on Sub-Regional arms control. The Parties agreed to cooperate fully with each other and the OSCE Personal Representatives to resolve outstanding issues in the shortest possible time, but no later than the end of 1996. They requested the OSCE to continue the assistance that it is currently providing them in implementation of the Agreements.

With respect to regional arms control, and depending on satisfactory progress on the implementation on Articles II and IV, efforts undertaken to promote the implementation of Article V of Annex 1B will continue. It is expected that these issues will be

adressed at the Summit of the Heads of States and Governments of the OSCE in Lisbon, on December 2-3, 1996.

9) The participants welcomed the holding of a plenary session of the Peace Implementation Council to take place in London on December 4-5, 1996. They hope that the conclusions of this conference will implement the guiding principles which they have adopted today. The Steering Board will play its role in full in the preparation of the London Conference. With that in mind, it accepts Germany's invitation to host a Steering Board meeting in Bonn, on 26 and 27 November 1996./.